

ORDINANCE NO. 03-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, PROVIDING FOR THE ADOPTION OF THE LEON COUNTY ADMINISTRATIVE CODE; REPEALING IN ITS ENTIRETY DIVISION 2 OF ARTICLE IV OF CHAPTER 2 OF THE CODE OF LAWS OF LEON COUNTY FLORIDA, ENTITLED "COUNTY ADMINISTRATOR"; CREATING A NEW ARTICLE X OF CHAPTER 2 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, ENTITLED "LEON COUNTY ADMINISTRATIVE CODE"; PROVIDING FOR THE TITLE AND PURPOSE OF THE ADMINISTRATIVE CODE; PROVIDING FOR THE POWERS AND DUTIES OF THE COUNTY ADMINISTRATOR; PROVIDING FOR DEPARTMENTS AND OFFICES OF COUNTY GOVERNMENT; PROVIDING FOR THE COUNTY ATTORNEY; PROVIDING FOR NON-INTERFERENCE; PROVIDING FOR CONFIRMATION OF EXISTING POLICIES, ORDINANCES, RESOLUTIONS, MOTIONS AND OTHER BOARD ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, Sections 1(c) and 1(g), Florida Constitution, provide that a county government may be established by charter, which shall be adopted upon a majority vote of the electors of the county; and

WHEREAS, the Charter of Leon County, Florida ("Charter"), became effective on November 12, 2002, and was approved by a majority of the those duly qualified electors voting on the question posed at the November 5, 2002, referendum, thereby establishing Leon County, Florida, as a charter county; and

WHEREAS, Article II, Section 2.2 (6) of the Charter provides that the Board of County Commissioners ("Board") shall adopt an administrative code in accordance with general law; and

1       **WHEREAS**, Chapter 2, Article IV, Division 2, Leon County Code of Laws, which  
2       currently provides for the establishment, appointment and existing powers and duties of the  
3       County Administrator, shall also be repealed;

4       **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**  
5       **COMMISSIONERS OF LEON COUNTY, FLORIDA, THAT:**

6       **Section 1.**     Division 2 of Article IV of Chapter 2 of the Code of Laws of Leon  
7       County, Florida, entitled "County Administrator," is hereby repealed in its entirety.

8       **Section 2.**     Chapter 2 of the Code of Laws of Leon County, Florida, is hereby  
9       amended to create a new Article X to be entitled "Leon County Administrative Code," which  
10      shall read as follows:

11  
12                   **ARTICLE X. LEON COUNTY ADMINISTRATIVE CODE**  
13

14      **Sec. 2-500.   Title; purpose.**  
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16           This Ordinance, as may be amended, shall be known as the "Leon County Administrative  
17      Code." The purpose of this Code is to organize the county government and to set forth the  
18      duties, responsibilities, and powers of the County Administrator, and departments and offices of  
19      county government as mandated by Section 125.87, Florida Statutes and the Charter. This  
20      Administrative Code shall be interpreted and construed consistent with the Charter.  
21

22      **Sec. 2-501.   Powers and duties of the County Administrator.**  
23

24           The executive responsibilities and authority of the County shall be assigned to, and  
25      vested in, the County Administrator, pursuant to the Leon County Charter, and shall consist of  
26      the following powers and duties:  
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28           (a)   *Functions generally.* The County Administrator shall be the chief administrative  
29      official for the County and shall be responsible for the administration of all County departments,  
30      offices and agencies, unless otherwise set forth in this Article. The Administrator shall be  
31      directly responsible to the Board and shall implement and execute the policies of the Board as  
32      promulgated by the Board.

33           (b)   *Specific duties.* It shall be the duty of the County Administrator to:  
34

- 35                   (1)   Report annually, or more often if necessary, to the Board and to the  
36                   citizens on the state of the County, the work of the previous year,

recommendations for action or programs for the improvement of the County and the welfare of its residents;

- (2) Prepare and submit to the Board for its consideration and adoption an annual operating budget, a capital budget, and a capital program; establish the schedules and procedures to be followed by all County departments, offices, and agencies in connection therewith; and supervise and administer all phases of the budgetary process;
- (3) Administer and carry out the directives and policies of the Board and enforce all orders, resolutions, ordinances, and regulations of the Board, the Charter, and all applicable general law, to assure that they are faithfully executed;
- (4) Supervise the care and custody of all County property, institutions and agencies;
- (5) Supervise the collection of revenues, audit and control all disbursements and expenditures, and prepare a complete account of all expenditures;
- (6) Review, analyze and forecast trends of County services, finances, and programs of all boards, commissions, agencies, and other County bodies, and report and recommend thereon to the Board;
- (7) Develop, install, and maintain centralized budgeting, personnel, legal, and purchasing procedures as may be authorized by this Article;
- (8) Negotiate contracts, leases, bonds, or other instruments for the County, subject to Board approval where appropriate, and in accordance with County Policy; make recommendations concerning the nature and location of County improvements; and execute services determined by the Board;
- (9) Assure that all terms and conditions imposed in favor of the County in any statute, franchise, or other contract are faithfully kept and performed;
- (10) Supervise, direct, and control all County administrative departments;
- (11) Appoint, subject to the consent of the Board, all appointed departmental directors, who shall serve at his or her pleasure, and employ, pursuant to appropriation and this Article, such personnel as necessary to administer County functions and services;
- (12) Order, at his or her discretion, any agency under his or her jurisdiction, as specified in this Article, to undertake any task for any other agency on a temporary basis if he or she deems it necessary for the proper and efficient administration of the County government to do so; and

(13) Any other power or duty which may be assigned by the Charter or by ordinance or resolution of the Board.

(c) *Administrator to issue Board directives.* The Board of County Commissioners' instructions or directives to any department of County government shall be issued through the Administrator or his or her designee. It is the express intent of this Article that recommendations for improvement in County government operations by individual Board members be made to and through the Administrator, so that the Administrator may coordinate efforts of all County departments to achieve the greatest possible savings through the most efficient and sound means available.

(d) *Budgetary functions.* The County Administrator shall be responsible for the compilation of such information as is necessary for a proper determination of the budgetary needs of the various departments, divisions, offices and agencies of County government, and in order to properly execute such duties, the Administrator shall have the right to require from such departments, divisions, offices and agencies such information as deemed necessary. It shall also be the budgetary responsibility of the County Administrator to:

- (1) Prepare and submit to the Board for its consideration and adoption an annual operating budget, a capital budget, and a capital program; establish the schedules and procedures to be followed by all county departments, divisions, offices and agencies in connection therewith; and supervise and administer all phases of the budgetary process;
- (2) Supervise the collection of revenues, audit and control all disbursements and expenditures, and prepare a complete account of all expenditures; and
- (3) Provide the Board with revenue forecasts, trends and economic indicators which could reasonably impact expenditures and revenue options available to the Board to effectively budget for the provision of County services.

(e) *Supervisory functions.* The County Administrator shall have the exclusive power to select, employ, supervise, suspend, discharge, and remove all department directors and employees within the various departments, and other personnel as necessary to administer County functions and services, which are under the direct control of the Board of County Commissioners. Initial employment of all department directors shall require confirmation by the Board.

(f) *Supervision of County government.* The County Administrator shall supervise, direct, and control all departments and offices of County government and shall be responsible for the operation of County government and the implementation of all Board policies.

**Sec. 2-502. Departments and offices of County government.**

(a) The designation of departments, offices and divisions of the County shall be adopted by resolution of the Board upon the recommendation of the County Administrator.

(b) The County Administrator may appoint an Assistant County Administrator as the Administrator determines necessary to effectively operate County government. The Assistant County Administrator shall report directly to the County Administrator. The County Administrator may direct department directors, executive officers, or other County personnel under the County Administrator to report to the Assistant County Administrator. In the absence of the County Administrator, the Assistant County Administrator shall fulfill the duties of the County Administrator.

(c) Each of the departments, offices and divisions shall have a director who shall report directly to the County Administrator or Assistant County Administrator, as directed by the Administrator.

**Sec. 2-503. County Attorney.**

Nothing in this Ordinance shall be deemed to alter the function, duties or powers of the County Attorney, as legal advisor to the Board of County Commissioners as established by Article II, Section 2.4 of the Charter. The County Attorney shall continue to report directly to the Board.

**Sec. 2-504. Non-interference.**

The Board hereby affirms that, except as otherwise provided herein, no County Commissioner shall direct, or otherwise interfere with the performance or duties of any employee or official of the County who is subject to the direction and supervision of the County Administrator.

**Sec. 2-505. Confirmation of existing policies, ordinances, resolutions, motions, and other Board actions.**

All ordinances, resolutions, motions, policies and directives of the Board shall continue in force and effect until amended, rescinded, repealed, or suspended by appropriate action of the Board. Nothing in this Article shall be construed to require further Board approval of appointments, terminations, or employment of personnel which have heretofore been approved or consented to by the Board.

**Section 3. Conflicts.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended,

1 which provisions shall prevail over any part of this ordinance which is inconsistent, either in  
2 whole or in part, with the said Comprehensive Plan.

3 **Section 4.** **Severability.** If any word, phrase, clause, section or portion of this  
4 ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such  
5 portion or words shall be deemed a separate and independent provision and such holding shall  
6 not affect the validity of the remaining portions thereof.

7 **Section 5.** **Effective date.** This ordinance shall have effect upon becoming law.

8 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon  
9 County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

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11 LEON COUNTY, FLORIDA  
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14 By: \_\_\_\_\_  
15 Tony Grippa, Chairman  
16 Board of County Commissioners  
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18  
19 ATTESTED BY:  
20 BOB INZER, CLERK OF THE COURT  
21

22  
23 By: \_\_\_\_\_  
24 CLERK  
25

26  
27 APPROVED AS TO FORM:  
28 COUNTY ATTORNEY'S OFFICE  
29 LEON COUNTY, FLORIDA  
30

31  
32 By: \_\_\_\_\_  
33 HERBERT W.A. THIELE  
34 COUNTY ATTORNEY  
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RESOLUTION NO. R03-\_\_\_\_\_

A RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF LEON COUNTY, FLORIDA,  
DESIGNATING AND SETTING FORTH THE  
DEPARTMENTS, OFFICES AND DIVISIONS OF THE  
COUNTY.

WHEREAS, on \_\_\_\_\_, the Board of County Commissioners  
adopted Leon County Ordinance No. 2003-\_\_\_\_\_, therein providing for the adoption of the  
Leon County Administrative Code; and

WHEREAS, Leon County Ordinance No. 2003-\_\_\_\_\_ provides that the  
departments, offices and divisions of the County are to be designated by and set forth in a  
Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF LEON COUNTY, FLORIDA, THAT:

**Section 1.** The departments, offices and divisions of the County are hereby  
designated and set forth as follows:

(a) The Department of Public Services shall be responsible for the activities,  
operation and function of the following Divisions:

- (1) Special Projects/Intergovernmental Affairs;
- (2) Health and Human Services;
- (3) Health Department;
- (4) Planning Department;
- (5) Cooperative Extension;
- (6) Library Services;
- (7) Veteran Services;
- (8) Volunteer Services; and
- (9) Emergency Medical Services;



1  
2 (b) The Department of Management Services shall be responsible for the activities,  
3 operation and function of the following Divisions:  
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- 5 (1) County Probation;  
6  
7 (2) Facilities Management;  
8  
9 (3) Human Resources;  
10  
11 (4) Management Information Services;  
12  
13 (5) Minority/Women Business Enterprise; and  
14  
15 (6) Purchasing.  
16

17 (c) The Department of Public Works shall be responsible for the activities, operation  
18 and function of the following Divisions:  
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- 20 (1) Animal Control;  
21  
22 (2) Engineering Services;  
23  
24 (3) Fleet Management;  
25  
26 (4) Mosquito Control;  
27  
28 (5) Stormwater Maintenance;  
29  
30 (6) Operations;  
31  
32 (7) Parks and Recreation; and  
33  
34 (8) Solid Waste.  
35

36 (d) The Office of Growth and Environmental Management shall be responsible for  
37 the activities, operation and function of the following Divisions:  
38

- 39 (1) Building Inspection;  
40  
41 (2) Development Services;

- 1 (3) Environmental Compliance;  
2  
3 (4) Aquatic Weed/Water Quality Monitoring; and  
4  
5 (5) DEP Storage Tank.  
6

7 (e) The Office of Management and Budget shall be responsible for budgeting and  
8 management activities.  
9

10 (f) The Assistant to the County Administrator shall be responsible for management  
11 activities including agenda coordination and other executive support responsibilities.  
12

13 PROPOSED, PRESENTED, AND PASSED by the Board of County Commissioners of  
14 Leon County, Florida, on this \_\_\_\_\_ day of \_\_\_\_\_, 2003.  
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17 LEON COUNTY, FLORIDA  
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19  
20 By: \_\_\_\_\_  
21 Tony Grippa, Chairman  
22 Board of County Commissioners

23 ATTESTED BY:  
24 BOB INZER, CLERK OF THE COURT  
25

26 By: \_\_\_\_\_  
27 CLERK  
28

29 APPROVED AS TO FORM:  
30 COUNTY ATTORNEY'S OFFICE  
31 LEON COUNTY, FLORIDA  
32

33 By: \_\_\_\_\_  
34 HERBERT W.A. THIELE  
35 COUNTY ATTORNEY